

## **DECLARATION OF JOINT INVENTORS FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Gat A embly** the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

### **PRIOR FOREIGN APPLICATIONS:**

I hereby state that no applications for foreign patents or inventor's certificates have been filed prior to the date of execution of this declaration.

### **POWER OF ATTORNEY:**

As a named Inventor, I hereby appoint the following attorneys and agent to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: David P. Roberts, Reg. No. 23,032; Randy A. Gregory, Reg. No. 30,386; Mark S. Matkin, Reg. No. 32,268; Deepak Malhotra, Reg. No. 33,560; Mark W. Hendricksen, Reg. No. 32,356; David G. Latwesen, Reg. No. 38,533; George G. Grigel, Reg. No. 31,166; Keith D.

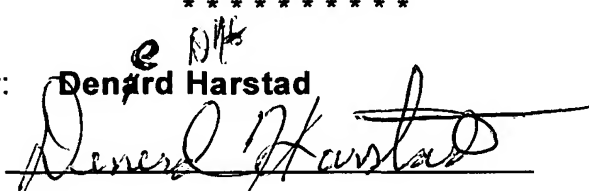
Grzelak, Reg. No. 37,144; James D. Shaurette, Reg. No. 39,833; D. Brent Kenady, Reg. No. 40,045; James E. Lake, Reg. No. 44,854; Jennifer J. Taylor, Reg. No. 48,711; Robert C. Hyta, Reg. No. 46,791; and Satheesh K. Karra, Reg. No. 40,246.

Direct all communications to George G. Grigel, at WELLS ST. JOHN P.S., 601 W. First Avenue, Suite 1300, Spokane, WA 99201-3828. Telephone: (509) 624-4276; **(PTO Customer No. 021567)**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued therefrom.

\*\*\*\*\*

Full name of inventor:

  
**Denard Harstad**

Inventor's Signature:

Date:

8/6/03

Residence:

**Waitsburg, Washington**

Citizenship:

**U.S.A.**

Post Office Address:

**5897 Biscuit Ridge Road  
Waitsburg, WA 99361**

\*\*\*\*\*

Full name of inventor: **Jam s Ruff**

Inventor's Signature: 

Date: 8-6-2003

Residence: **Walla Walla, Washington**

Citizenship: **U.S.A.**

Post Office Address: **252 North Division  
Walla Walla, WA 99362**

\*\*\*\*\*

Full name of inventor: **Larry Mahanna**

Inventor's Signature: 

Date: 8/6/03

Residence: **Weston, Oregon**

Citizenship: **U.S.A.**

Post Office Address: **77924 Hunter Lane  
Weston, OR 97886**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Denard Harstad; James Ruff; Larry Mahanna

Application No.: Not yet assigned

Filed on: Filed herewith

Title: Gate Assembly

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b)--INDEPENDENT INVENTOR**

As a below named inventor, I hereby state that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in the specification filed herewith, with title as listed above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

FULL NAME Key Technology, Inc.  
ADDRESS 150 Avery  
Walla Walla, WA 99362

SMALL BUSINESS CONCERN

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

  
Denard Harstad

  
Signature of Inventor

Date 8/6/03

James Ruff

  
Signature of Inventor

Date 8-6-2003

Larry Mahanna

  
Signature of Inventor

Date 8/6/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Denard Harstad; James Ruff; Larry Mahanna

Application No.: Not yet assigned

Filed on: Filed herewith

Title: Gate Assembly

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b)--SMALL BUSINESS CONCERN**

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Key Technology, Inc.  
150 Avery  
Walla Walla, WA 99362

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in the specification filed herewith, with title as listed above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

No such person, concern, or organization exists.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Kirk Morton  
CEO  
Key Technology, Inc.  
150 Avery  
Walla Walla, WA 99362

  
\_\_\_\_\_  
Signature

8-2-03  
\_\_\_\_\_  
Date